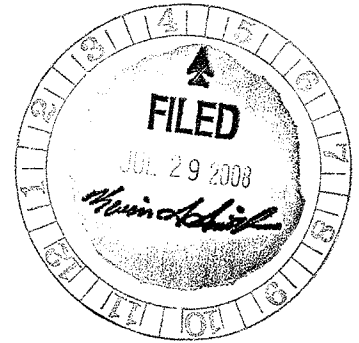


**In the
Indiana Supreme Court**



IN THE MATTER OF)

APPROVAL OF LOCAL RULES)

FOR JACKSON COUNTY)

Cause No. 36S00-0807- MS-415

ORDER APPROVING AMENDMENT TO LOCAL RULE

Pursuant to Ind. Administrative R. 15, the Hon. William E. Vance, the Hon. Bruce Markel, III, and the Hon. Bruce A. MacTavish, Judges of the Jackson County Circuit and Superior Courts respectively, request this Court's approval of an amendment to Jackson County Local Rule LR36-AR15-1. The Judges are requesting an increase in court reporter per page fees for transcripts from \$3.50 to \$5.00.

Upon examination of the proposed rule amendment requested by the Jackson Circuit and Superior Courts, this Court finds that the proposed rule amendment to Local Rule LR36-AR15-1 exceeds the Court's guidelines for increases in court reporter per page fees for transcripts. The Court further finds that the court reporter per page fees for transcripts should be increased to \$4.00, effective thirty (30) days after the rule has been posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

IT IS, THEREFORE, ORDERED by this Court that the request from the Jackson County Judges for an increase in court reporter per page fees for transcripts from \$3.50 to \$5.00 is DENIED and instead Jackson County Local Rule LR36-AR15-1, set forth as an attachment to this Order, is amended to provide an increase in court reporter per page fees for transcripts from \$3.50 to \$4.00, effective thirty (30) days after the rule has been posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. William E. Vance, Jackson Circuit Court, P.O. Box 315, Brownstown, IN 47220-0315; the Hon Bruce Markel III, Jackson Superior Court, P.O. Box 788, Seymour, IN 47274-0788; the Hon. Bruce MacTavish; and to the Clerk of the Jackson Circuit Court.

The Clerk of the Jackson Circuit Court is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, to post this Order and attachment for examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, this 29th day of July, 2008.

A handwritten signature in black ink, appearing to read "Randall T. Shepard", written over a horizontal line.

~~Randall T. Shepard~~

Chief Justice of Indiana

ACTING CHIEF JUSTICE

LR36-AR15-1: Compensation of Court Reporters

(a) Definitions. The following definitions shall apply under this local rule:

(1) A ***Court Reporter*** is a person who is specifically designated by a court to perform the official court reporting services for the court including preparing a transcript of the record.

(2) ***Equipment*** means all physical items owned by the court or other governmental entity and used by a court reporter in performing court reporting services. Equipment shall include, but not be limited to, telephones, computer hardware, software programs, disks, tapes, and any other device used for recording and storing, and transcribing electronic data.

(3) ***Work space*** means that portion of the court's facilities dedicated to each court reporter, including but not limited to actual space in the courtroom and any designated office space.

(4) ***Page*** means the page unit of transcript which results when a recording is transcribed in the form by Indiana Rule of Appellate Procedure 7.2.

(5) ***Recording*** means the electronic, mechanical, stenographic or other recording made as required by Indiana Rule of Trial Procedure 74.

(6) ***Regular hours worked*** means those hours which the court is regularly scheduled to work during any given work week. Depending on the particular court, these hours may vary from court to court within the county but remain the same for each work week.

(7) ***Gap hours worked*** means those hours worked that are in excess of the regular hours worked but hours not in excess of forty (40) hours per week.

(8) ***Overtime hours worked*** means those hours worked that are in excess of forty (40) hours per week.

(9) ***Work week*** means a seven (7) consecutive day week that consistently begins and ends on the same days throughout the year; i.e. Sunday through Saturday, Wednesday through Tuesday, Friday through Thursday.

(10) ***Court*** means the particular court for which the court reporter performs services. Court may also mean all of the courts in Jackson County.

(11) ***County indigent transcript*** means a transcript that is paid for from county funds and is for the use on behalf of a litigant who has been declared indigent by a court. (12) ***State indigent transcript*** means a transcript that is paid for from state funds and is for the use on behalf of a litigant who has been declared indigent by a court.

(13) ***Private transcript*** means a transcript, including but not limited to a deposition transcript that is paid for by a private party.

(b) Salaries and Per Page Fees.

(1) Court Reporters shall be paid an annual salary for time working under the control, direction and direct supervision of their supervising court during regular work hours, gap hours or overtime hours. The supervising court shall enter into a written agreement with the court reporters which outlines the manner in which the court reporters are to be compensated for gap and overtime hours; i.e. monetary compensation or compensatory time off regular work hours.

(2) The maximum per page fee a court reporter may charge for the preparation of a county indigent transcript shall be \$4.00; the court reporter shall submit a claim directly to the county for the preparation of any county indigent transcripts.

(3) The maximum per page fee a court reporter may charge for the preparation of a state indigent transcript shall be \$4.00.

(4) The maximum per page fee a court reporter may charge for the preparation of a private transcript shall be \$4.00.